



Denmark

Country Reports on Human Rights Practices - [2001](#)

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Denmark is a constitutional monarchy with parliamentary democratic rule. Queen Margrethe II is Head of State. The Cabinet, which is accountable to the unicameral Parliament (Folketing), leads the Government. A minority center-right coalition government led by the Liberal Party was formed after elections in November. The Government respects the constitutional provisions for an independent judiciary in practice.

The national police have sole responsibility for internal security. The civilian authorities generally maintain effective control of the security forces.

The population is approximately 5.3 million. Denmark has an advanced, market-based industrial economy. One-half of the work force is employed in the public sector. The key industries are food processing and metalworking, and a broad range of industrial goods is exported. The economy provides residents with a high standard of living. Per capita GNP was approximately \$30,000.

The Government generally respected the human rights of its citizens, and the law and judiciary provide effective means of dealing with instances of individual abuse. Violence against women is a problem, but the Government took steps to deal with it. Trafficking in women for prostitution is a problem.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports of the arbitrary or unlawful deprivation of life by the Government or its agents.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits such practices, and there were no reports that officials employed them.

Prison conditions generally meet international standards. In July 2000, the U.N. Committee Against Torture criticized the Government for the number of prisoners held in solitary confinement and the length of time spent in isolation. For example, all prisoners who refused to participate in work programs were placed in solitary confinement. In response the Government revised prison rules on the length of solitary confinement permitted and the reasons for assigning solitary confinement. Under the new rules, the percentage of prisoners in solitary confinement dropped from 11.2 percent in 1999 to 7.6 percent in 2000.

Men and women are held separately. The vast majority of juvenile offenders are not incarcerated, except for very violent juvenile offenders. Violent juvenile offenders between the ages of 15 and 17 may be sent to adult correctional facilities, but they are segregated from violent adult inmates. Pretrial detainees are held in remand

centers, which also hold nonviolent convicted criminals serving sentences of 30 months or less.

The Government permits visits by independent human rights monitors, and such visits occurred during the year.

d. Arbitrary Arrest, Detention, or Exile

The Constitution prohibits arbitrary arrest, detention, or exile, and the Government generally observes these prohibitions. The Constitution mandates that individuals who are arrested have the right to a hearing before a judge within 24 hours of arrest. If a judge decides to hold persons in detention, then he must issue an order stating why. The Constitution allows for the immediate appeal of a judge's detention order.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary, and the Government generally respects this provision in practice.

The judicial system consists of a series of local and regional courts, with the Supreme Court at the apex.

The Constitution provides for the right to a fair trial, and an independent judiciary vigorously enforces this right. The law provides for defendants' right to timely consultation with an attorney, at public expense if needed. Defendants have the right to question witnesses against them and to present witnesses for their defense. Defendants and their attorneys have access to government evidence relevant to their case. Under court procedures, defendants enjoy a presumption of innocence and have the right to appeal their sentences and procedural issues involved in their case.

There were no reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Constitution prohibits such practices, the Government generally respects these prohibitions in practice, and violations are subject to effective legal sanction.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press, and the Government generally respects these rights in practice. An independent press, an effective judiciary, and a functioning democratic political system combine to provide freedom of speech and of the press, including academic freedom.

There are 10 nationally distributed newspapers, which are independent and privately owned. The Government owns two of the three national television networks and a share in the third national television network; however, there are several private satellite and cable television channels. Over 200 private and public radio stations broadcast. The Government does not exercise editorial control over its radio and television outlets.

Access to the Internet is unrestricted.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for the freedoms of assembly and association, and the Government generally respects these rights in practice. A permit is required for public demonstrations, but the Government uses objective criteria in evaluating requests and does not discriminate in issuing permits.

c. Freedom of Religion

The Constitution provides for religious freedom, and the Government generally respects this right in practice. The Constitution provides for an official state religion, the Evangelical Lutheran Church, which is subsidized by the Government. The Evangelical Lutheran faith is taught in public schools, but students may withdraw from religious classes with parental consent.

The Government does not require that religious groups be licensed, but the State's permission is required for religious ceremonies, for example, weddings, if they are to have civil validity.

An independent, government-appointed Council published guidelines for the approval of religious organizations that are linked to the 1969 Marriage Act. The guidelines established clear requirements that religious organizations must fulfill, which include providing a written text of the religion's central traditions; descriptions of its most important rituals; an organizational structure accessible for public control and approval; and constitutionally elected representatives who can be held responsible by authorities. In addition the organization must "not teach or perform actions inconsistent with public morality or order."

Scientologists continued to seek official approval as a religious organization. Their first application for approval was made in the early 1980's and rejected; the second application was made in mid-1997 and withdrawn in early 1998. The second application was resubmitted in 1999 and withdrawn again in early 2000, shortly before a decision by the Government was expected. In withdrawing the application, the Church of Scientology asked the Ministry of Ecclesiastical Affairs for additional time to respond to reports about Scientology that had appeared in the media. The Scientologists had not resubmitted an application by year's end.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The law provides for these rights, and the Government generally respects them in practice.

The law provides for the granting of refugee and asylum status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. The Government cooperates with the U.N. High Commissioner for Refugees and other humanitarian organizations in assisting refugees. The Government provides first asylum and granted it to 4,776 persons in the first 9 months of the year. A total of 6,184 asylum applications were filed in the first 9 months of the year, a 22 percent reduction compared with the same period in 2000.

There were no reports of the forced return of persons to a country where they feared persecution.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides citizens with the right to change their government peacefully, and citizens exercise this right in practice through periodic, free, and fair elections held on the basis of universal suffrage.

The territories of Greenland (whose population is primarily Inuit) and the Faroe Islands (whose inhabitants have their own Norse language) have democratically elected home rule governments whose powers encompass all matters except foreign affairs, monetary affairs, and national security. Greenlanders and Faroese are Danish citizens with the same rights as those in the rest of the Kingdom. Each territory elects two representatives to the Folketing.

The percentage of women in government or politics does not correspond to their percentage of the population, but women are well represented at all levels of government. In the Government, 5 of 18 ministers are female, as are 68 of Parliament's 179 members.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups in general operate without government restriction, investigating and publishing their findings on human rights cases. Government officials are cooperative and responsive to their views.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Government's operations and extensive public services do not discriminate on the basis of any of these factors. The Constitution and the law prohibit discrimination on the basis of sex, creed, or ethnicity, and the Government enforces this prohibition effectively. The law also prohibits discrimination on the basis of race, national or ethnic origin, or faith. The Government protects the rights of the country's indigenous people carefully.

Women

Violence against women is a problem, but the Government took steps to combat it. An umbrella nongovernmental organization (NGO) reports that in 2000, women's crisis shelters were contacted 8,825 times, compared with 8,439 times in 1999. A total of 2,083 women stayed at shelters during 2000, compared with 2,054 women in 1999. There were 477 reported rapes in 1999, 497 in 2000, and 243 during the first 6 months of the year. Rape, spousal abuse, and spousal rape are criminal offenses. Trafficking in women for the purpose of prostitution was a problem (see Sections 6.c. and 6.f.).

The law requires equal pay for equal work, but some wage inequality remains. The law prohibits job discrimination on the basis of sex and provides recourse, such as access to the Equal Status Council, for those affected. Women hold positions of authority throughout society, although they are underrepresented in senior business positions. Women's rights groups lobby the Government on matters of concern, such as wage disparities and parental leave.

Children

The Government is strongly committed to children's rights and welfare; it amply funds systems of public education and medical care. Education is compulsory through the ninth grade and is free through the university level. School attendance is nearly universal. The Ministries of Social Affairs, Justice, and Education oversee implementation of programs for children.

There is no societal pattern of abuse against children. In 1997 the Parliament passed legislation that banned the physical punishment of children by adults, including their parents.

Persons with Disabilities

There is no discrimination against persons with disabilities in employment, education, or in the provision of other state services. Building regulations require special facilities for the disabled in public buildings built or renovated after 1977 and in older buildings that come into public use. The Government generally enforces these provisions in practice.

Indigenous People

The law protects the rights of the inhabitants of Greenland and the Faroe Islands. Greenland's legal system seeks to accommodate Inuit customs. Accordingly it provides for the use of lay persons as judges and sentences most prisoners to holding centers (rather than to prisons) where they are encouraged to work, hunt, or fish during the day. Education in Greenland is provided to the native population in both the Inuit and Danish languages.

In 1999 a court ruled that the Government unjustly resettled Greenland Inuits in 1953 in order to accommodate the expansion of a U.S. Air Force base in northwest Greenland. The court ordered the Government to pay compensation to the displaced Greenlanders and their descendants. The compensation is substantially less than the amount that the defendants sued for, and the case remained under appeal in the Supreme Court at year's end. A ruling was expected in the spring of 2002.

National/Racial/Ethnic Minorities

The inflow of ethnically and racially diverse refugees and immigrants has caused some tension between Danes and immigrants (mostly Iranians, Palestinians, Pakistanis, Sri Lankans, Somalians, or the former Yugoslavs). In response to publicity concerning the involvement of foreigners in street crime and allegations of social welfare fraud committed by refugees, Parliament passed tighter immigration laws that took effect in 1999. Family reunification is now more difficult, and immigrants and refugees can no longer acquire permanent residence by living in the country for 18 months; rather they must now reside for 3 years and demonstrate, usually by so doing, that they have integrated into society.

There were 90 incidents of racial discrimination or racially motivated violence in the first 11 months of the year. Of these, 44 incidents occurred after the September 11 terrorist attacks in the United States. The Government effectively investigates and deals with cases of racially motivated violence.

Section 6 Worker Rights

a. The Right of Association

The law states that all workers, including military personnel and the police, may form or join unions of their

choosing. Approximately 80 percent of wage earners belong to unions that are independent of the Government and political parties.

More than 50 percent of wage earners are in unions that are affiliated with the Confederation of Danish Labor (LO). The LO has traditionally had a close relationship with the Social Democrat Party. There are also 3 other umbrella labor organizations to which 41 unions are affiliated. There are also several independent unions, which are not affiliated with any labor federations or umbrella organizations.

All unions except those representing civil servants or the military have the right to strike. Workers often exercise their right to strike. In 2000, 124,000 workdays were lost due to strikes.

Unions may affiliate freely with international organizations, and they do so actively.

b. The Right to Organize and Bargain Collectively

The right to organize is protected by law. Workers and employers acknowledge each other's right to organize. Collective bargaining is protected by law and is widespread in practice. In the private sector, salaries, benefits, and working conditions are agreed upon in biennial or triennial negotiations between the various employers' associations and their union counterparts. If the negotiations fail, a national conciliation board mediates, and management and labor vote on its proposal. If the proposal is rejected, the Government may impose a legislated solution on the parties (usually based upon the mediators' proposal). The agreements are used as guidelines throughout the public as well as the private sector. In the public sector, collective bargaining is conducted between the employees' unions and a government group led by the Finance Ministry.

The law prohibits antiunion discrimination by employers against union members and organizers, and there are mechanisms to resolve disputes. Employers found guilty of antiunion discrimination are required to reinstate workers fired for union activities.

Labor relations in Greenland are conducted in the same manner as in Denmark. Greenland's courts are the first recourse in disputes, but Danish mediation services or the Danish Labor Court also may be used.

There is no umbrella labor organization in the Faroes, but individual unions engage in periodic collective bargaining with employers. Disputes are settled by mediation.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor; however, women are trafficked for the purpose of forced prostitution (see Section 6.f.).

The law prohibits forced and bonded labor by children, and there were no reports that such practices occurred.

d. Status of Child Labor Practices and Minimum Age for Employment

The minimum age for full-time employment is 15 years. The law sets a minimum of 13 years of age for any type of work. The law is enforced by the Danish Working Environment Service (DWES), an autonomous arm of the Ministry of Labor. Export industries do not use child labor. The Government ratified the International Labor Organization's Convention 182 on the worst forms of child labor in August 2000.

The law prohibits forced and bonded labor by children, and such practices are not known to occur (see Section 6.c.).

e. Acceptable Conditions of Work

No national minimum wage is mandated legally, but national labor agreements effectively set a wage floor. The lowest wage paid is approximately \$10 (85 kroner) per hour, which is sufficient to provide a decent standard of living for a worker and family. The law provides for 5 weeks of paid vacation per year. Workers normally work a 37-hour workweek, which is established by contract, not by law. The law requires at least 11 hours between the end of one work period and the start of the next.

The law also prescribes conditions of work, including safety and health; the duties of employers, supervisors, and employees; work performance; rest periods and days off; and medical examinations. The DWES ensures compliance with labor legislation. Workers may remove themselves from hazardous situations or weapons production without jeopardizing their employment rights, and legal protections cover workers who file complaints about unsafe or unhealthy conditions.

Similar conditions of work are found in Greenland and the Faroes, except that the workweek is 40 hours. As in Denmark, the workweek is established by contract, not by law.

f. Trafficking in Persons

The law does not specifically prohibit trafficking in persons, but other laws have been used to prosecute traffickers; however, trafficking in women to the country for the purpose of prostitution is a problem. Most women were trafficked from Eastern Europe, the Baltic States, other countries of the former Soviet Union, and Southeast Asia, particularly Thailand. Some victims were lured by the prospect of higher wages and a better life but were forced into prostitution. Some traffickers reportedly withheld victims' passports. The perpetrators usually were suspected of being part of organized crime.

Laws prohibiting kidnaping and pimping were used by the Government to prosecute traffickers in several high-profile cases during the year; however, sentences were light. In several cases, individuals were charged with violating laws on human smuggling and illegal sexual activity. Most of these cases involved women brought from Eastern Europe and Asia to work as prostitutes. In November 5 persons were convicted of smuggling 80 women from Baltic countries into Denmark to work as prostitutes. They received jail sentences of between 1 and 3 years. The authorities cooperate with international investigations.

The Commissioner of Police led a factfinding mission to the Baltic States in November 2000 and issued a report of the mission's findings in January, which recommended further study of the problem. In 2000 a regional conference on trafficking generated considerable public and parliamentary debate. In December 2000, the Government set up an interagency working group in the Ministry of Gender and Equality to address trafficking. An informal working group meets once per month and includes members from the Ministries of Justice, Social Affairs, Gender and Equality, Employment, and Education, as well as NGO's, to share information.

The Government does not provide medical or legal assistance directly to victims, and there is no governmental or nongovernmental entity specifically concerned with victims of trafficking. Several government-supported organizations provide services to victims on a case-by-case basis.